

- (j) Johnston Island and Sand Island.
- (k) Kingman Reef.
- (l) Midway Islands.
- (m) Navassaa Island.
- (n) Palmyra Atoll.
- (o) Wake Island.
- (p) Any small guano islands, rocks, or keys that, in pursuance of action taken under the Act of Congress, August 18, 1856, are considered as appertaining to the United States.
- (q) Any other islands to which the U.S. Government reserves claim, such as Christmas Island.

§ 591.203 Employees covered.

(a) This subpart applies to civilian employees whose rates of basic pay are fixed by statute and who are employed by an agency. The following pay plans are covered by this subpart:

- (1) General Schedule.
- (2) Veterans Health Services and Research Administration (Department of Veterans Affairs).
- (3) Foreign Service (including the Senior Foreign Service).
- (4) Postal Service (where applicable under provisions of 39 U.S.C.).
- (5) Administrative law judges paid under 5 U.S.C. 5372.
- (6) Senior Executive Service (including the Federal Bureau of Investigation—Drug Enforcement Administration Senior Executive Service).
- (7) Senior-level and scientific and professional positions paid under 5 U.S.C. 5376.

(b) This subpart may be applied, at the sole discretion of the employing agency, to civilian employees in other positions authorized by specific law applicable to such positions, consistent with the intent of 5 U.S.C. 5941.

[55 FR 1373, Jan. 16, 1990, as amended at 56 FR 6209, Feb. 14, 1991; 56 FR 18663, Apr. 23, 1991; 57 FR 10126, Mar. 24, 1992; 58 FR 65537, Dec. 15, 1993; 61 FR 59177, Nov. 21, 1996; 62 FR 63631, Dec. 2, 1997]

§ 591.204 Establishment of allowance areas.

(a) The Office of Personnel Management (OPM) designates within nonforeign areas allowance areas where employees are eligible to receive a cost-of-living allowance by virtue of living costs that are substantially higher than those in the Washington, DC,

area. In establishing the limits of allowance areas, OPM considers:

- (1) The existence of a well defined economic community;
- (2) The availability of consumer goods and services;
- (3) The concentration of Federal employees covered by this subpart; and
- (4) Unique circumstances related to a specific location.

(b) The following allowance areas have been established where an allowance is authorized to be paid:

- (1) *State of Hawaii*. (i) City and County of Honolulu.
- (ii) County of Kauai.
- (iii) County of Maui (including Kalawao County).
- (iv) County of Hawaii.
- (2) State of Alaska. (i) City of Anchorage and 80-kilometer (50-mile) radius by road.
- (ii) City of Fairbanks and 80-kilometer (50-mile) radius by road.
- (iii) City of Juneau and 80-kilometer (50-mile) radius by road.
- (3) *Commonwealth of Puerto Rico*. The entire Commonwealth.
- (4) The U.S. Virgin Islands.
- (5) Territory of Guam and Commonwealth of the Northern Mariana Islands.

(c) The head of a department or agency will submit requests in writing to OPM for the establishment or revision of allowance areas.

[55 FR 1373, Jan. 16, 1990, as amended at 57 FR 58124, Dec. 9, 1992; 58 FR 32278, June 9, 1993; 59 FR 53725, Oct. 26, 1994]

§ 591.205 Comparative cost index.

(a) OPM calculates allowance rates for each area by comparing costs of four categories of expenses in the area to those in the Washington, DC area. Two allowance rates are calculated for each area; Local Retail and Commissary/Exchange (see § 591.207 of this part). The four categories of expenses are:

- (1) Consumption goods and services.
- (2) Transportation.
- (3) Housing.
- (4) Miscellaneous expenses.

(b) Costs are determined for several income levels and home occupancy types (renter or owner), and averaged.

(1) The cost of consumption goods and services (excluding transportation